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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 TERRANCE ANDERSON,
12 Plaintiff,
13 v.
14 C. BABCOCK, et al.,
15 Defendants.
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No. 2:24-CV-0977-KJM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court are Plaintiff's motions to compel. See ECF Nos. 21
19 and 22. Plaintiff has filed a supplement in support of both motions. See ECF No. 25.
20 Defendants have filed oppositions to both motions. See ECF Nos. 23 and 26. Also before the
21 Court is Defendants' motion to modify the schedule for this litigation. See ECF No. 27.

22 In the pending motions to compel, Plaintiff seeks an order directing Defendants to
23 provide further responses to interrogatories and requests for production of documents. See ECF
24 Nos. 21 and 22. With his supplement, Plaintiff has provided the Court with copies of the
25 discovery requests and responses at issue. See ECF No. 25. Defendants have also provided the
26 Court with copies of the disputed requests and responses. See ECF No. 23.

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The Court agrees with Defendants that the discovery requests underlying Plaintiff's motions to compel were untimely. The Court issued a discovery and scheduling order for this case on September 25, 2024. See ECF No. 19. Pursuant to this order, the parties were permitted to conduct discovery through May 30, 2025. See id. at 3. Discovery requests were required to be served at least 60 days prior to this date. See id. Here, as revealed in the documents attached to Defendants' opposition, Plaintiff's discovery requests were untimely, and Defendants appropriately objected on this basis. Specifically, Plaintiff's interrogatories and requests for production were produced to prison officials for mailing on April 6, 2025.¹ See ECF No. 23, pg. 20. Because this date is less than 60 days prior to the May 30, 2025, discovery cut-off date, Plaintiff's discovery requests were untimely. The Court will deny Plaintiff's motions to compel and grant Defendants' motion to extend the dispositive motion filing deadline.

Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion to compel, ECF Nos. 21, and 22, are denied.
2. Defendants' motion to modify the schedule, ECF No. 27, is granted.
3. Dispositive motions are due within 30 days of the date of this order.

Dated: October 14, 2025



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE

¹ Pursuant to Houston v. Lack, 487 U.S. 266 (1988), for pro se prisoner litigants, documents are considered served as of the date they are delivered to prison authorities for mailing to the Court. Here, Defendants have supplied the Court with a copy of the envelope from Plaintiff containing his discovery requests. This envelope indicates that the documents were received by prison officials on April 6, 2025.